

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52324 of 2023

Arising Out of PS. Case No.-240 Year-2023 Thana- MUFFASIL District- Aurangabad

Dhirendra Thakur @ Dhirendra Kumar Thakur Son Of Sunil Kumar Thakur
@ Sunil Thakur R/O-Yari, P.S.-Muffasil, Distt.-Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar, Adv.
For the State	:	Mr. Manoj Kumar, APP
For the Informant	:	Mr. Santosh Kumar Pandey, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 23-08-2023 Heard Mr. Sanjay Kumar, learned counsel appearing on behalf of the petitioner and learned Additional Public Prosecutor for the State. Mr. Santosh Kumar Pandey, learned counsel is representing the informant.

2. The petitioner apprehends his arrest in connection with Aurangabad Muffasil P.S. Case No. 240 of 2023, registered for the offences punishable under Sections 447/341/323/307/379/504/506/34 of the Indian Penal Code.

3. Allegedly while the informant was talking to his co-villagers, in the meantime, the petitioner armed with *lathi* came there and assaulted over his head due to which he sustained serious injuries.

4. Learned counsel appearing on behalf of the



petitioner submits that there is a counter version of the present case being Aurangabad Muffasil P.S. Case No. 241 of 2023 lodged by the petitioner side. He further drew the attention of this Court to the penultimate paragraph of the impugned order and with reference thereto, he submits that the injuries which are alleged to have sustained over the person of the informant are found to be simple in nature. He next submits that the petitioner is a man of fair antecedent and he undertakes that he will not indulge in such crime in future.

5. On the other hand, learned counsel for the State as well as the informant vehemently opposed the bail application and submits that the specific allegation of assault has been levelled against the petitioner, though the injury has fortunately been found to be simple in nature.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of injury and the counter version of the present case, coupled with the fair antecedent of the petitioner, let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like



amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in connection with Aurangabad Muffasil P.S. Case No. 240 of 2023, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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